

On My Mind
01/21/05

The cost of President Bush's undeclared - and now certifiably unwarranted - "war" on Iraq keeps climbing higher and higher. Not just the billions of dollars to support our military, the millions more awarded in juicy contracts to his friends, not only the 1,000 plus lost lives of American soldiers, the thousands of apparently uncounted lost lives of Iraqi soldiers, and Iraqi civilian men, women and children, not only the lost lives of military from other countries, of aid workers, of rebels and insurgents, not only the destruction and loss of homes and offices and roads and power plants and communication facilities - of palaces and museums and art works.

Now comes word that the ancient city of Babylon, which includes the Hanging Gardens of Babylon - one of the seven wonders of the world - has also been irretrievably damaged as a direct result of the war. An op-ed piece from the British *Guardian*, published in the *Marianas Variety* on Tuesday of this past week, reports that an estimated 300,000 square meters in the area were flattened and covered with gravel - most of it imported from somewhere else - to provide helicopter landing places and parking lots for heavy vehicles.

What this means is that previously undisturbed archaeological deposits will now be irrevocably contaminated, the piece quoted Dr. John Curtis, Head of the Department of the Near East at the British Museum, as saying. The imported gravel will be impossible to remove without causing further damage, and furthermore, fuel seeping from the heavy vehicles, and chemicals sprayed on the area and seeping into the buried deposits are also of grave concern.

Curtis also found extensive damage to remaining structures still standing on the site, as well as "much pottery and many fragments of brick with cuneiform inscriptions of Nebuchadnezzar ... in the bank of the spoil" from deep trenches dug in areas of Babylon;" also that the "original brick surface of the great processional route through one of Babylon's gates [had been] crushed by military vehicles," according to a related news release in the *Guardian*.

Curtis, who was in Baghdad to assess damages "as soon as the bombs stopped falling" in 2003, had returned to Baghdad in December of 2004, just prior to the turning over of the site of Babylon to Iraqi forces. "They will inherit a catalogue of disasters," says the *Guardian* story.

The thoughtless damage - and theft - inflicted upon Iraq's museums during the height of the initial attack were, of themselves, inexcusable. That such irreparable damage of what remained of the area's wealth of world famous ancient sites and structures has been allowed to continue, has not been given proper protection, borders on the criminal. These archaeological sites, and their artifacts do not belong only to Iraq, but to the entire world - they represent all the world's heritage.

Not that dollars and lives should be considered expendable. But antiquities are irreplaceable.

Congratulations to Senator Paul A. Manglona for recognizing that the issue of citizenship for the stateless isn't actually a Covenant issue. Manglona was the only Senator who voted against a Senate resolution this past week that urged the U.S. State Department to pursue an appeal to the U.S. Supreme Court of the lower Ninth Circuit Court's ruling that CNMI's "stateless persons" were entitled to U.S. citizenship.

Citizenship for the people of the CNMI is provided for in the Covenant. But it was to be awarded to the people only when the UN Trusteeship Agreement came to an end, since the U.S. could not legally claim sovereignty over the CNMI while it was still under UN trusteeship, and until that happened, therefore, could not grant citizenship to the people of the CNMI. It was not until late 1986 - ten years after the Covenant had been approved by the U.S. Congress - that the United Nations' Trusteeship Council finally issued a resolution declaring that the U.S. had met its trusteeship obligation in Micronesia, thereby enabling the U.S. to issue its declaration of citizenship for the CNMI.

Section 303 of the Covenant provides that people born in the CNMI after Section 303 goes into effect will be citizens of the U.S. at birth. But Section 1003 of the Covenant provides that Section 303 will go into effect only after the Trusteeship has ended. There is no time frame written into the Covenant as to when that might, or should, occur. There was, I suspect, little expectation that it would take all of ten years.

It was a matter of international politics that delayed the termination of the Trusteeship, a matter that had less to do with the Covenant, or with the U.S. and its relationship to the CNMI, or with the CNMI itself, than it did with the relationship between the U.S. and the rest of Micronesia, between the U.S. and the members of the Trusteeship Council.

It neither violates the Covenant, nor does it open citizenship to vast hordes - as opponents seem to fear - to grant citizenship to those who were born in the CNMI between the time the Covenant was adopted and the time the Trusteeship came to an end. The delay was an unanticipated effect of the terms of the Covenant and the "stateless" should not be made to suffer the consequences.

Kudos as well to Public Auditor Mike Sablan, for publicly rejecting a suggestion that his office be given greater powers than it now has. There aren't many government officials who would do the same. At a Rotary Club meeting earlier this week Chamber of Commerce president Alex Sablan suggested that public auditors be given prosecutorial powers. The Chamber President said the Attorney General's office, to which Office of Public Auditor findings are reported for prosecution under the present system, has not addressed a number of OPA investigations in recent years, and has let others lapse due to the statute of limitations.

But the Public Auditor responded that the public auditor cannot be investigator, prosecutor and judge all at the same time. It would create a very powerful government position that would be open to abuse, aside from creating conflicts of interest, he said.

The Public Auditor said the solution to the problem of acting on auditor reports in a timely manner would be to enhance the prosecutorial independence of the Office of the Attorney General. It is that office's responsibility to decide whether to prosecute, conduct an additional investigation, drop the case or refer it to federal authorities for prosecution, he noted.

Unacted-upon auditor findings are no doubt frustrating to those in the Office of the Public Auditor, who go to all the trouble of doing the investigation in the first place. It must be highly tempting to the OPA to take on the prosecution of the failures to perform, the anomalies it does find. Which makes it all the more impressive that CNMI's Public Auditor has stood on principle, and said it was the wrong solution.

Short takes:

Wouldn't it seem fitting for the President to apologize to the families of all - Iraqi, U.S., U.N., to mention just a few - who have lost their lives in Iraq now that it's been proved that there were no weapons of mass destruction?

How can anyone believe that ordinary people will be able to beat the stock market - the concept on which Bush's "reform" of Social Security is built - when even large professionally managed mutual funds can't consistently do so?

The week's "dodo" award goes to the Marianas Variety for getting the story on KRNM's loss of contact with its satellite feed wrong to begin with, for refusing to print a letter of correction submitted by yours truly, and furthermore, unlike the Tribune, for ignoring the real story altogether.

While numbering the roads on Saipan may seem silly at first glance, it is a huge step forward as far as accommodating tourists is concerned. The CNMI's mainly Asian tourists use a different alphabet than we use here, so even naming roads did not help them all that much to find their way around. But numbers are far simpler (for the most part, only two characters) and thus easier to read. Now all that is required is that the many maps and brochures reflect those numbers too.

The intrepid - and exceedingly verbose - Dr. Camacho notwithstanding, one can only hope that former Philippine Consul Julie Heideman knows what she is talking about in regard to the establishment of a proposed medical school in the CNMI. Granted that the burden of paying rent for La Fiesta mall must weigh heavily on the governor - who so rashly took the burden off the shoulders of Northern Marianas College - nevertheless, rushing into poorly researched or off-the-wall alternative uses of the place is not the best way to solve the problem. Heideman is, of course, well-known and highly respected, and that should make the whole idea creditable and reputable.

But both the Governor and NMC have blundered in the past - about La Fiesta as well as about easy ways to raise money (of which the flim-flam that was Saipan University and the coin-minting affair are but the latest examples). What assurances are there that neither one will

do so this time? The CNMI can hardly afford to be made a laughing stock again.